

MESSAGE NO: 2288204

MESSAGE DATE: 10/15/2002

MESSAGE STATUS: Active

CATEGORY: Antidumping

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PUBLIC ☒

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SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-428-834

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 10/03/2002 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: FINAL DETERMINATION IN THE DUMPING INVESTIGATION OF COLD-ROLLED CS
FLAT PRODUCTS FROM GERMANY (A-428-834)

MESSAGE NO: 2288204 DATE: 10 15 2002

CATEGORY: ADA TYPE: FNO

REFERENCE: REFERENCE DATE:

CASES: A - 428 - 834 - -

- - - -

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PERIOD COVERED: 10 03 2002 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: FINAL DETERMINATION IN THE DUMPING INVESTIGATION OF
COLD-ROLLED CS FLAT PRODUCTS FROM GERMANY (A-428-834)

1. ON OCTOBER 3, 2002, THE DEPARTMENT OF COMMERCE PUBLISHED IN
THE
FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN
FAIR
VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN
COLD-ROLLED
CARBON STEEL FLAT PRODUCTS FROM GERMANY (67 FR 62116).

2. FOR PURPOSES OF THIS INVESTIGATION, THE TERM "CERTAIN COLD-ROLLED CARBON STEEL FLAT PRODUCTS" INCLUDES COLD-ROLLED STEEL (COLD-REDUCED) FLAT-ROLLED CARBON-QUALITY STEEL PRODUCTS, NEITHER CLAD, PLATED, NOR COATED WITH METAL, BUT WHETHER OR NOT ANNEALED, PAINTED, VARNISHED, OR COATED WITH PLASTICS OR OTHER NON-METALLIC SUBSTANCES, BOTH IN COILS, 0.5 INCH WIDE OR WIDER, (WHETHER OR NOT IN SUCCESSIVELY SUPERIMPOSED LAYERS AND/OR OTHERWISE COILED, SUCH AS SPIRALLY OSCILLATED COILS), AND ALSO IN STRAIGHT LENGTHS, WHICH, IF LESS THAN 4.75 MM IN THICKNESS HAVING A WIDTH THAT IS 0.5 INCH OR GREATER AND THAT MEASURES AT LEAST 10 TIMES THE THICKNESS; OR, IF OF A THICKNESS OF 4.75 MM OR MORE, HAVING A WIDTH EXCEEDING 150 MM AND MEASURING AT LEAST TWICE THE THICKNESS. THE PRODUCTS DESCRIBED ABOVE MAY BE RECTANGULAR, SQUARE, CIRCULAR OR OTHER SHAPE AND INCLUDE PRODUCTS OF EITHER RECTANGULAR OR NON-RECTANGULAR CROSS-SECTION.

SPECIFICALLY INCLUDED IN THIS SCOPE ARE VACUUM DEGASSED, FULLY STABILIZED (COMMONLY REFERRED TO AS INTERSTITIAL-FREE ("IF")) STEELS, HIGH STRENGTH LOW ALLOY ("HSLA") STEELS, AND MOTOR LAMINATION STEELS. IF STEELS ARE RECOGNIZED AS LOW CARBON STEELS WITH MICRO-ALLOYING LEVELS OF ELEMENTS SUCH AS TITANIUM AND/OR NIOBIUM ADDED TO STABILIZE CARBON AND NITROGEN ELEMENTS. HSLA STEELS ARE RECOGNIZED AS STEELS WITH MICRO-ALLOYING LEVELS OF ELEMENTS SUCH AS CHROMIUM, COPPER, NIOBIUM, TITANIUM, VANADIUM, AND MOLYBDENUM. MOTOR LAMINATION STEELS CONTAIN MICRO-ALLOYING LEVELS OF ELEMENTS SUCH AS SILICON AND ALUMINUM.

STEEL PRODUCTS INCLUDED IN THE SCOPE OF THIS INVESTIGATION,

REGARDLESS OF DEFINITIONS IN THE HARMONIZED TARIFF SCHEDULES OF THE UNITED STATES ("HTSUS"), ARE PRODUCTS IN WHICH: (1) IRON PREDOMINATES, BY WEIGHT, OVER EACH OF THE OTHER CONTAINED ELEMENTS; (2) THE CARBON CONTENT IS 2 PERCENT OR LESS, BY WEIGHT, AND; (3) NONE OF THE ELEMENTS LISTED BELOW EXCEEDS THE QUANTITY, BY WEIGHT, RESPECTIVELY INDICATED: 1.80 PERCENT OF MANGANESE, OR 2.25 PERCENT OF SILICON, OR 1.00 PERCENT OF COPPER, OR 0.50 PERCENT OF ALUMINUM, OR 1.25 PERCENT OF CHROMIUM, OR 0.30 PERCENT OF COBALT, OR 0.40 PERCENT OF LEAD, OR 1.25 PERCENT OF NICKEL, OR 0.30 PERCENT OF TUNGSTEN, OR 0.10 PERCENT OF MOLYBDENUM, OR 0.10 PERCENT OF NIOBIUM (ALSO CALLED COLUMBIUM), OR 0.15 PERCENT OF VANADIUM, OR 0.15 PERCENT OF ZIRCONIUM.

ALL PRODUCTS THAT MEET THE WRITTEN PHYSICAL DESCRIPTION, AND IN WHICH THE CHEMISTRY QUANTITIES DO NOT EXCEED ANY ONE OF THE NOTED ELEMENT LEVELS LISTED ABOVE, ARE WITHIN THE SCOPE OF THIS INVESTIGATION UNLESS SPECIFICALLY EXCLUDED.

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS TYPICALLY IN THE HTSUS AT SUBHEADINGS:

7209.15.0000, 7209.16.0030, 7209.16.0060, 7209.16.0090, 7209.17.0030, 7209.17.0060, 7209.17.0090, 7209.18.1530, 7209.18.1560, 7209.18.2550, 7209.18.6000, 7209.25.0000, 7209.26.0000, 7209.27.0000, 7209.28.0000, 7209.90.0000, 7210.70.3000, 7210.90.9000, 7211.23.1500, 7211.23.2000, 7211.23.3000, 7211.23.4500, 7211.23.6030, 7211.23.6060, 7211.23.6085, 7211.29.2030, 7211.29.2090, 7211.29.4500, 7211.29.6030, 7211.29.6080, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7225.19.0000, 7225.50.6000, 7225.50.7000, 7225.50.8010, 7225.50.8085, 7225.99.0090, 7226.19.1000, 7226.19.9000, 7226.92.5000, 7226.92.7050, 7226.92.8050, AND 7226.99.0000.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND

U.S. CUSTOMS SERVICE ("U.S. CUSTOMS") PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE

PLEASE NOTE: THERE ARE A NUMBER OF EXCLUSIONS INCLUDED IN THE SCOPE LANGUAGE OF THIS INVESTIGATION, BUT DUE TO FORMATTING COMPLICATIONS WE ARE UNABLE TO INCLUDE THEM IN THIS EMAIL. FOR A FULL DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION, PLEASE SEE " APPENDIX I" ATTACHED TO THE NOTICE OF CORRECTION TO FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE: CERTAIN COLD-ROLLED CARBON STEEL FLAT PRODUCTS FROM AUSTRALIA, 67 FR 52934 (AUGUST 14, 2002). FOR A COMPLETE DISCUSSION OF THE COMMENTS RECEIVED ON THE PRELIMINARY SCOPE RULINGS, SEE THE MEMORANDUM REGARDING "ISSUES AND DECISION MEMORANDUM FOR THE FINAL SCOPE RULINGS IN THE ANTIDUMPING DUTY INVESTIGATIONS ON CERTAIN COLD-ROLLED CARBON STEEL FLAT PRODUCTS FROM ARGENTINA, AUSTRALIA, BELGIUM, BRAZIL, FRANCE, GERMANY, INDIA, JAPAN, KOREA, THE NETHERLANDS, NEW ZEALAND, THE PEOPLE'S REPUBLIC OF CHINA, THE RUSSIAN FEDERATION, SOUTH AFRICA, SPAIN, SWEDEN, TAIWAN, THAILAND, TURKEY, AND VENEZUELA, AND IN THE COUNTERVAILING DUTY INVESTIGATIONS OF CERTAIN COLD-ROLLED CARBON STEEL FLAT PRODUCTS FROM ARGENTINA, BRAZIL, FRANCE, AND KOREA," DATED JULY 10, 2002, WHICH IS ON FILE IN THE CENTRAL RECORDS UNIT, ROOM B-099 OF THE MAIN COMMERCE BUILDING.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NO.A-428-834.

4. FOR IMPORTS OF CERTAIN COLD-ROLLED CARBON STEEL FLAT PRODUCTS FROM GERMANY, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER MAY 9, 2002. EFFECTIVE OCTOBER 3, 2002, CUSTOMS SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW :

MFR/PRODUCER	CUSTOMS ID	MARGIN
EXPORTER	NUMBER	PERCENTAGE

THYSSEN KRUPP STAHL AG	A-428-834-001	12.56%
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ALL OTHERS

A-428-834-000

12.56%

5. IN ACCORDANCE WITH THE LONGSTANDING POLICY OF THE 1985 TREASURY DECISION AND MEMORANDUM OF AGREEMENT (MOA) BETWEEN COMMERCE AND CUSTOMS, T.D. 85-145, AT THE DISCRETION OF U.S. CUSTOMS, U.S. CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING DUTIES, U.S. CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. AS HAS BEEN THE CASE SINCE THE MOA AND TREASURY DECISION, YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT, VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT HELEN KRAMER OR ANYA NASCHAK, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0405 OR (202) 482-6375, RESPECTIVELY.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party